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Attorneys for Defendant, COUNTY OF MONTEREY

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

JULIO FLORES, on his own behalf
and as a successor-in-interest to
decendent, PRISCILLA FLORES;
ADRIANA FLORES, an individual;
DANIELA FLORES, an individual;
LIANA FLORES, an individual,

Plaintiffs,

vs.

NATIONAL RAILROAD
PASSENGER CORPORATION,
dba AMTRAK; UNION PACIFIC
RAILROAD COMPANY, a Delaware
Corporation; COUNTY OF
MONTEREY; STATE OF
CALIFORNIA; DOES 1-100,
inclusive,

Defendants.

Case No: 3:12-CV-00686-MEJ

**STIPULATION AND ~~PROPOSED~~ ORDER
TO MODIFY DISPOSITIVE MOTION
SCHEDULE.**

Trial Date: August 26, 2013
Time: 9:30 a.m.
Courtroom: B - 15th Floor
Judge: The Honorable Maria Elena James

Pursuant to the Case Management Order of December 11, 2012, the last day to file
dispositive motions in this action is May 20, 2013 and the last day to hear dispositive motions is
June 24, 2013. Plaintiffs and Defendants, National Passenger Railroad Corp. ("Amtrak"), Union
Pacific Railroad, and Monterey County (collectively, "Defendants"), by and through their
respective counsel, hereby stipulate and respectfully request to modify the December 11, 2012

Case Management Order. Good cause exists to continue the dispositive motion deadlines in order to facilitate further settlement discussions between the parties and accommodate the litigation schedules of counsel, as well as to account for the Court's calendar being full on June 20, 2013 and counsel for Monterey County being overseas on June 27, 2013.

NOW THEREFORE, subject to the Court's approval, the parties, through their counsel of record, stipulate, agree, and respectfully request that the following modifications to the Case Management Order be made:

1. That the last day to file dispositive motions be continued from May 20, 2013 to May 31, 2013;

2. That the last day to hear dispositive motions be continued from June 24, 2013 to July 11, 2013;

3. That Defendants' respective motions for summary judgment be calendared for July 11, 2013;

4. That all other dates listed in the Case Management Order of July 26, 2012, as modified by the Case Management Order of December 11, 2012, remain unchanged, including the August 26, 2013 trial date and the dates of all other pretrial proceedings.

Respectfully submitted,

Dated: May 10, 2013

GREEN BRYANT & FRENCH, LLP

By: /s/ Jason Julius

JASON JULIUS

Attorneys for Plaintiffs

Dated: May 10, 2013

LOMBARDI LOPER & CONANT

By: /s/ Liza Siu Mendoza

LIZA SIU MENDOZA

Attorneys for Defendants, Union Pacific
Railroad; National Railroad Passenger
Corporation

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1 Dated: May 10, 2013.

CHARLES J. McKEE, COUNTY COUNSEL

2 By: /s/ William Litt

3 WILLIAM LITT

4 Deputy County Counsel

Attorneys for Defendant County of Monterey

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6 **ORDER**

7 PURSUANT TO STIPULATION, AND GOOD CAUSE APPEARING THEREFORE,
8 IT IS ORDERED THAT:

9 1. That the last day to file dispositive motions be continued from May 20, 2013 to
10 May 31, 2013;

11 2. That the last day to hear dispositive motions be continued from June 24, 2013 to
12 July 11, 2013;

13 3. That Defendants' respective motions for summary judgment be calendared for
14 July 11, 2013;

15 4. That all other dates listed in the Case Management Order of July 26, 2012, as
16 modified by the Case Management Order of December 11, 2012, remain unchanged, including
17 the August 26, 2013 trial date and the dates of all other pretrial proceedings.

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19 Dated: May 13, 2013


20 THE HONORABLE MARIA ELENA JAMES
21 UNITED STATES MAGISTRATE JUDGE
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